

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In Re: the Amendment to the Interconnection	)	
Agreements Between MCImetro Access	)	
Transmission Services, LLC, MCI WorldCom	)	
Communications, Inc., Brooks Fiber	)	
Communications, Inc., Intermedia	)	Case No. _____
Communications, Inc. and Southwestern	)	
Bell Telephone, L.P. d/b/a SBC Missouri	)	
Pursuant to Sections 251 and 252 of the	)	
Telecommunications Act of 1996.	)	

**APPLICATION FOR APPROVAL OF AMENDMENT  
TO INTERCONNECTION AGREEMENTS**

SBC Missouri,<sup>1</sup> pursuant to 4 CSR 240-3.513(6)(C), respectfully submits the attached Amendment to the Interconnection Agreements (“ICAs”) between MCImetro Access Transmission Services LLC, (“MCIm”) and SBC Missouri; and the ICAs between MCI WorldCom Communications, Inc., Brooks Fiber Communications, Inc., Intermedia Communications, Inc. and SBC Missouri, which MCIm holds as successor in interest. SBC Missouri requests the Missouri Public Service Commission (“Commission”) approve this Amendment pursuant to the Telecommunications Act of 1996 (the “Federal Act”). In support of this request, SBC Missouri states:

**I. APPLICANT**

1. SBC Missouri is a Texas limited liability partnership,<sup>2</sup> duly authorized to conduct business in Missouri,<sup>3</sup> with its principal Missouri office at One SBC Center, Room 3520, St. Louis,

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<sup>1</sup> Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, will be referred to in this pleading as “SBC Missouri.”

<sup>2</sup> A copy of the Limited Partnership Agreement was filed with the Commission on October 12, 2001, and is incorporated here by reference. See In the Matter of the Application of Southwestern Bell Telephone Company To Transfer Property and Ownership of Stock Pursuant to Section 392.200, RSMo., Case No. TO-2002-185, October 12, 2001.

<sup>3</sup> A copy of a certificate from the Missouri Secretary of State certifying that Southwestern Bell Telephone, L.P. is a foreign limited partnership duly authorized to transact business in the State of Missouri was filed with the Commission on January 7, 2002, and is incorporated here by reference. See In the Matter of the Application of Southwestern Bell Telephone Company to Transfer Property and Ownership of Stock Pursuant to Section 392.300, RSMo., Case No. TO-2002-185, January 7, 2002.

Missouri 63101. SBC Missouri is authorized to do business in Missouri as SBC Missouri and its fictitious name is duly registered with the Missouri Secretary of State.<sup>4</sup> SBC Missouri is a “local exchange telecommunications company” and a “public utility,” and is duly authorized to provide “telecommunications service” within the State of Missouri as each of those phrases is defined in Section 386.020, RSMo. 2000. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Paul G. Lane  
Leo J. Bub  
Robert J. Gryzmala  
Mimi B. MacDonald  
Attorneys for Southwestern Bell Telephone, L.P.,  
d/b/a SBC Missouri  
One SBC Center, Suite 3520  
St. Louis, Missouri 63101

The electronic mail address, fax number, and telephone number for SBC Missouri’s attorneys are contained in the signature block of this Application.

2. SBC Missouri does not have any pending or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of this Application.

3. SBC Missouri does not have any annual report or assessment fees that are overdue in Missouri.

## **II. THE AMENDMENTS**

4. On August 20, 2003, in Case No. TO-2002-222, the Commission issued its Order Approving the ICA between MCI and Southwestern Bell Telephone Company, now Southwestern Bell Telephone, L.P., a Texas limited partnership, doing business as SBC Missouri.

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<sup>4</sup> A copy of the registration of the fictitious name “SBC Missouri” was filed with the Commission on January 17, 2003, and incorporated here by reference. See In the Matter of the Name Change of Southwestern Bell Telephone, L.P., d/b/a Southwestern Bell Telephone Company to Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, Case No. IN-2003-0247, January 17, 2003.

5. On October 24, 2002, in Case No. TO-2002-222, the Commission issued its Order Approving ICAs between MCI WorldCom Communications, Inc. (“MCI WorldCom”) and Brooks Fiber Communications, Inc. (“Brooks Fiber”) and Southwestern Bell Telephone Company, now Southwestern Bell Telephone, L.P., a Texas limited partnership, doing business as SBC Missouri. MCIIm now holds these ICAs as successor in interest.

6. On January 25, 2000, in Case No. TO-2002-364, the Commission issued its Order Approving the ICA between Intermedia Communications, Inc. (“Intermedia”) Southwestern Bell Telephone Company, now Southwestern Bell Telephone, L.P., a Texas limited partnership, doing business as SBC Missouri. MCIIm now holds this ICA as successor in interest.

7. On September 8, 2004, the MCI CLECs filed an Amendment to their ICAs with SBC Missouri that amended, modified and superseded certain compensation, interconnection and trunking provisions of their ICAs with SBC Missouri. This Amendment ran from June 1, 2004 through September 30, 2004. This Amendment was filed in the following cases:

MCImetro Access Transmission Services, LLC -	VT-2005-0037
Brooks Fiber Communications of Missouri, Inc. -	VT-2005-0034
MCI WorldCom Communications, Inc. -	VT-2005-0036
Intermedia Communications, Inc. -	VT-2005-0035

8. On July 29, 2005, SBC Missouri filed an Amendment to its ICAs with the MCI CLECs to extend the Amendment previously filed on September 8, 2004 through March 31, 2005. This filing was made in Case No. VT-2006-0002.

9. MCIIm and SBC Missouri have entered into an Amendment Superseding Reciprocal Compensation and Trunking Terms of their ICA and also for the ICAs between SBC Missouri and MCI WorldCom, Brooks Fiber and Intermedia, which MCIIm holds as successor in interest. This Amendment, which is attached to this Application, runs from April 1, 2005 to June 30, 2007.

10. SBC Missouri presents this Amendment to the Commission pursuant to Section 252(e)(1) of the Federal Act and 4 CSR 240.3.513(6)(C). There are no outstanding issues related to this Amendment between the parties that require the assistance of mediation or arbitration.

### **III. STANDARD FOR REVIEW**

11. The statutory standard of review under Section 252(e) of the Act states:

(e) Approval by State Commission

(1) Approval Required. Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the state commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.

(2) Grounds for Rejection. The State commission may only reject

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that

(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity. . . .

SBC Missouri states that the Amendment meets the statutory standard for approval, as it is consistent with the public interest, convenience and necessity in that they allow for full and fair competition and greater choice for the consumer. SBC Missouri further states that the Amendment does not discriminate against other carriers not a party to the Agreement, as the terms of the Agreement are equally available to any other similarly situated carrier.

### **IV. REQUEST FOR APPROVAL**

12. SBC Missouri seeks the Commission's approval of the Amendment, consistent with the provisions of the Federal Act. The implementation of these Amendments complies fully with Section 252(e) of the Federal Act because the Amendment is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The

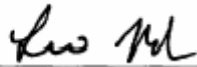
Amendment helps promote diversity in provider, provides interconnectivity, and increase customer choices for telecommunications services. SBC Missouri respectfully requests that the Commission grant approval of the Amendment, without change, suspension or other delay in its implementation.

**V. CONCLUSION**

WHEREFORE, for the foregoing reasons, SBC Missouri prays that the Commission approve the attached Amendment to the ICAs between SBC Missouri and MCImetro Access Transmission Services, LLC, MCI WorldCom Communications, Inc., Brooks Fiber Communications, Inc., and Intermedia Communications, Inc.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

BY 

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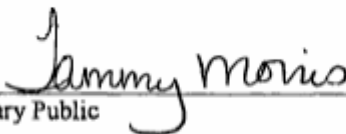
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**VERIFICATION**

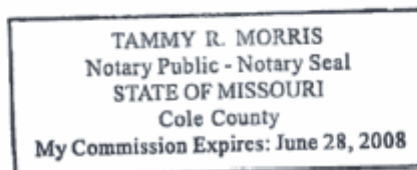
I Timothy M. Judge, a duly authorized representative of SBC Missouri hereby verify and affirm that I have read the foregoing Application and that the statements contained therein are true and correct to the best of my information and belief.

  
\_\_\_\_\_  
Timothy M. Judge

Subscribed and sworn to before me on this 22<sup>nd</sup> day of July, 2005

  
\_\_\_\_\_  
Notary Public

My Commission Expires:



**CERTIFICATE OF SERVICE**

Copies of this document were served on the following parties by e-mail on July 29, 2005.

BY 

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